

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT GREENEVILLE

RANDY SCHACKE)	
)	
v.)	NO. 2:06-CV-90
)	
SHERIFF ED GRAYBEAL, MAJOR)	
BRENDA DOWNS, DR. VINCE)	
PINYARD, and PAT HOLLIFIELD, R.N.)	

ORDER of JUDGMENT

In accordance with the accompanying memorandum and order, this *pro se* former prisoner's civil rights action under 42 U.S.C. § 1983 is **DISMISSED** as **MOOT**. Should plaintiff file a notice of appeal, he is **DENIED** leave to appeal *in forma pauperis* because, for reasons discussed in the memorandum, any appeal from this order would not be taken in good faith and would be frivolous. *See* 28 U.S.C. § 1915(a)(3).

SO ORDERED.

ENTER:

s/ Leon Jordan
United States District Judge

ENTERED AS A JUDGMENT
s/ Patricia L. McNutt
CLERK OF COURT